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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,885	02/01/2001	Lisa A. Fillebrown	107870.00008	7933

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EXAMINER	
TRAN, PHILIP B	
ART UNIT	PAPER NUMBER
2155	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/773,885	FILLEBROWN ET AL.	
	Examiner	Art Unit	
	Philip B. Tran	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 January 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15 and 20-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15 and 20-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 11, 13-15, 21, 23, 25 and 27 are rejected under 35 U.S.C. § 102(e) as being anticipated by Lincke et al (Hereafter, Lincke), U.S. Pat. No. 6,397,259.

Regarding claim 1, Lincke teaches a personal wireless network (= wireless link system) [see Figs. 1 & 14], comprising:

a wireless server (= web server 140 and computer 1482 as a whole) [see Fig. 14] capable of executing any one of a plurality of software applications and generating from such execution a plurality of data packets for transmission in the network [see Fig. 2 and Abstract]; and

a wireless client capable of wireless communication with the wireless server in accordance with at least one wireless communication protocol, the wireless client being

configured to remotely access the software applications executed by the wireless server, and to process the data packets transmitted from the wireless server and wherein the wireless server receives a data packet from the wireless client extracts data from the received data packet, and associates the extracted data with one of the software application (= wireless communication device PDA 100 is coupled to the web server 140 and computer 1482 as a whole by a wireless link wherein the web server 140 and computer 1482 as a whole includes a wireless transceiver (antenna 1470) for communicating with the PDA and the PDA also includes a wireless transceiver for communicating with the web server 140 and computer 1482 as a whole and wherein software applications running in the server to allow exchanging packet data (query and response) between the PDA and the server for establishing connection) [see Fig. 14 and Abstract and Col. 15, Lines 1 to Col. 16, Line 22 and Col. 114, Line 18 to Col. 115, Line 5].

Regarding claim 11, Lincke further teaches a second wireless client capable of wireless communication with the wireless server, and wherein both clients are capable of simultaneously accessing the same software application being executed by the server (= wireless communication device PDA 100 is coupled to the web server 140 and computer 1482 as a whole by a wireless link wherein the web server 140 and computer 1482 as a whole includes a wireless transceiver (antenna 1470) for communicating with the PDA and the PDA also includes a wireless transceiver for communicating with the web server 140 and computer 1482 as a whole and wherein software applications

running in the server to allow exchanging packet data (query and response) between the PDA and the server for establishing connection) [see Fig. 14 and Abstract and Col. 15, Lines 1 to Col. 16, Line 22 and Col. 114, Line 18 to Col. 115, Line 5].

Regarding claim 13, Lincke further teaches the server is in communication with a Local Area Network [see Col. 18, Lines 20-30 and Col. 20, Lines 4-37].

Regarding claims 14-15, Linke further teaches the network of claim 1 wherein the server is an Internet-enabled device and wherein the server is a personal computer (PC) [see Fig. 14].

Claims 21, 23 and 25 are rejected under the same rationale set forth above to claim 1.

Claim 27 is rejected under the same rationale set forth above to claims 14-15.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 2-3, 6-7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al (Hereafter, Lincke), U.S. Pat. No. 6,397,259 in view of Zehavi, U.S. Pat. No. 6,894,988.

Regarding claims 2-3 & 6-7, Lincke does not explicitly teach the wireless communication is implementable through a Bluetooth protocol and through an IEEE 802.11 protocol, and through a HomeRF protocol, and through a plurality of wireless protocols. However, Lincke does suggest the implementation of suitable wireless protocol for communication between server and client [see Lincke, Col. 17, Lines 29-58].

Zehavi, in the same field of wireless network communication endeavor, discloses wireless network for communication among servers and clients using a plurality of wireless protocols such as a Bluetooth protocol, IEEE 802.11 protocol, and HomeRF protocol [see Zehavi, Fig. 1 and Abstract and Col. 4, Lines 10-19]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of a plurality of wireless protocols, disclosed by Zehavi, into the system of wireless network in enclosed environments such as home or office disclosed by Lincke, in order to provide a short-range and low-cost wireless communication link for use between devices within a rather small local area such as in-home network.

Regarding claim 12, Lincke does not explicitly teach the client is capable of wireless communication using a first wireless protocol and the second client is capable of wireless communication using a second wireless protocol. However, Lincke does suggest the implementation of suitable wireless protocol for communication between server and client [see Lincke, Col. 17, Lines 29-58].

Zehavi, in the same field of wireless communication network endeavor, discloses one client or device is capable of operation using a first wireless protocol (= wireless network protocol A) and the second client or device is capable of operation using a second wireless protocol (= wireless network protocol B) [see Zehavi, Fig. 1 and Col. 2, Line 65 to Col. 3, Line 39 and Col. 4, Lines 1-19]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the implementation of different devices capable of operation using different wireless protocols, disclosed by Zehavi, into the system of wireless communication network disclosed by Lincke, in order to enable a device handling concurrent wireless communication with multiple partners of different wireless communication protocols in a very efficient and low cost manner [see Zehavi, Col. 1, Lines 41-50].

5. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al (Hereafter, Lincke), U.S. Pat. No. 6,397,259 in view of Haartsen, U.S. Pat. No. 6,590,928.

Regarding claim 4, Lincke does not explicitly teach the wireless communication is implementable at approximately 2.4 GHz. However, Lincke does suggest the implementation of suitable wireless protocol for communication between server and client [see Lincke, Col. 17, Lines 29-58].

Haartsen, in the same field of wireless communication network endeavor, discloses wireless local area network (WLAN) using a standard IEEE 802.11 protocol wherein the system is operated in the 2.4 GHz band [see Haartsen, Col. 1, Line 40 to Col. 2, Line 40]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of a standard IEEE 802.11 protocol wherein the system is operated in the 2.4 GHz band, disclosed by Haartsen, into the system of wireless communication network disclosed by Lincke, in order to provide a short-range and low-cost wireless communication link for use between devices within a rather small local area such as in-home network.

Regarding claim 5, Lincke does not explicitly teach the wireless communication is implementable at approximately 5.2 GHz. However, Lincke does suggest the implementation of suitable wireless protocol for communication between server and client [see Lincke, Col. 17, Lines 29-58].

Haartsen, in the same field of wireless communication network endeavor, discloses High Performance Radio Local Area Network (HIPERLAN) using a standard IEEE 802.11 protocol wherein the system is operated in the 5.2 GHz band [see Haartsen, Col. 13, Lines 14-38]. It would have been obvious to one of ordinary skill in

the art at the time of the invention was made to incorporate the use of a standard IEEE 802.11 protocol wherein the system is operated in the 5.2 GHz band, disclosed by Haartsen, into the system of wireless communication network disclosed by Lincke, in order to provide a short-range and low-cost wireless communication link for use between devices within a rather small local area such as in-home network.

6. Claims 8, 22, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al (Hereafter, Lincke), U.S. Pat. No. 6,397,259 in view of Jones et al (Hereafter, Jones), U.S. Pat. No. 6,108,314.

Regarding claim 8, Lincke does not explicitly teach a wireless router being wirelessly coupled between the server and the client via a wireless protocol. However, Lincke discloses a wireless communication device PDA 100 is coupled to the web server 140 and computer 1482 as a whole by a wireless link wherein the web server 140 and computer 1482 as a whole includes a wireless transceiver (antenna 1470) for communicating with the PDA and the PDA also includes a wireless transceiver for communicating with the web server 140 and computer 1482 as a whole and wherein software applications running in the server to allow exchanging packet data (query and response) between the PDA and the server for establishing connection [see Fig. 14 and Abstract and Col. 15, Lines 1 to Col. 16, Line 22 and Col. 114, Line 18 to Col. 115, Line 5].

Jones, in the same field of wireless communication network endeavor, discloses the implementation of wireless router between devices such as subscriber devices and

servers in the wireless network [see Jones, Fig. 1 and Col. 2, Line 40 to Col. 3, Line 3]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of a wireless router, disclosed by Jones, into the system of wireless communication network disclosed by Lincke, in order to perform routing protocols and handle transmission of different types of data [see Jones, Col. 3, Line 62 to Col. 4, Line 21]. Thus, various types of data can be efficiently transferred from one device to another in a wireless communication environment.

Claims 22, 24 and 26 are rejected under the same rationale set forth above to claim 8.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al (Hereafter, Lincke), U.S. Pat. No. 6,397,259 in view of Callaway, Jr. (Hereafter, Callaway), U.S. Pat. No. 6,711,380.

Regarding claim 9, Lincke does not explicitly teach the client is a wireless smart client. However, Lincke discloses a wireless communication device PDA 100 is coupled to the web server 140 and computer 1482 as a whole by a wireless link wherein the web server 140 and computer 1482 as a whole includes a wireless transceiver (antenna 1470) for communicating with the PDA and the PDA also includes a wireless transceiver for communicating with the web server 140 and computer 1482 as a whole and wherein software applications running in the server to allow exchanging packet data (query and response) between the PDA and the server for establishing connection [see Fig. 14 and

Abstract and Col. 15, Lines 1 to Col. 16, Line 22 and Col. 114, Line 18 to Col. 115, Line 5].

Callaway, in the same field of wireless communication network endeavor, discloses the implementation of a home wireless network connecting intelligent appliances [see Callaway, Col. 1, Lines 14-45]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of wireless smart client (= intelligent appliance), disclosed by Callaway, into the system of wireless communication network disclosed by Lincke, in order to create a "master-slave" environment in the wireless LAN for the piconet master (= one of controller device (11), (13), (15)) wirelessly controlling and managing all complex operations and program, such that the smart appliance (= slave microwave oven (10)) does little more than acts on very specific commands issued by the master device (for example, turns itself on and off) [see Callaway, Col. 3, Line 13 to Col. 4, Line 5]. Thus, this enables to establish an autonomous local area distributed network like "smart appliances" home network in a configuration that requires only low cost, low bandwidth communication techniques and only an occasional connection to a remote server or a master controller.

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al (Hereafter, Lincke), U.S. Pat. No. 6,397,259 in view of McClard et al (Hereafter, McClard), "Unleashed : Web Tablet Integration into the Home", ACM, April 2000.

Regarding claim 10, Lincke does not explicitly teach the client is a wireless tablet. However, Lincke does suggest the implementation of clients as PDAs [see Lincke, Figs. 1 & 14].

McClard, in the same field of wireless communication network endeavor, discloses the implementation of client as a wireless tablet [see McClard, Page 1, Left column, third paragraph and Page 1, Right column, second & third paragraphs]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of a client as a wireless tablet, disclosed by McClard, into the system of wireless communication network disclosed by Lincke, in order to improve the portability aspect by allowing the user to be unchained and mobilized within a small local area such as in-home network [see McClard, Table 1 on Page 2].

9. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al (Hereafter, Lincke), U.S. Pat. No. 6,397,259 in view of Thompson et al (Hereafter, Thompson), U.S. Pat. No. 6,484,011.

Regarding claim 20, Lincke does not explicitly teach the wireless client is capable of reading a magnetic strip. However, Lincke discloses a wireless communication device PDA 100 is coupled to the web server 140 and computer 1482 as a whole by a wireless link wherein the web server 140 and computer 1482 as a whole includes a wireless transceiver (antenna 1470) for communicating with the PDA and the PDA also includes a wireless transceiver for communicating with the web server 140 and computer 1482 as a whole and wherein software applications running in the server to

allow exchanging packet data (query and response) between the PDA and the server for establishing connection [see Fig. 14 and Abstract and Col. 15, Lines 1 to Col. 16, Line 22 and Col. 114, Line 18 to Col. 115, Line 5].

Thompson, in the same field of wireless communication network endeavor, discloses the implementation of a wireless device having means for reading a magnetic stripe [see Thompson, Col. 10, Lines 19-21]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of wireless device capable of reading a magnetic stripe, disclosed by Thompson, into the system of wireless communication network disclosed by Lincke, in order to enhance the process of identification in an efficient manner by allowing a quick retrieval of coded information from the magnetic stripe using a portable and wireless device.

Response to Arguments

10. Applicant's arguments with respect to claims 1-15 and 20-27 have been considered but are moot in view of the new ground(s) of rejection.

Other References Cited

11. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A) Treyz et al, U.S. Pat. No. 6,526,335.

B) Boals et al, U.S. Pat. No. 6,108,727.

C) Gerson, U.S. Pat. No. 6,963,759.

12. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip Tran
Philip B. Tran
Primary Examiner
Art Unit 2155
April 12, 2007